



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
May 20, 2005

IN REPLY REFER TO
HDA-CA
Document # 47348

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Branch, Room 3500
For Ross A. Chittenden, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2004 FTIP Amendment No. 7 – Butte County Association of Governments
(BCAG)

The Federal Highway Administration (FHWA) has completed its review of Amendment No. 7 to the BCAG's 2004 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated May 13, 2005. The BCAG adopted this amendment with Resolution No. 2004/05-18 on April 28, 2005, approving the program modifications and reaffirming the conformity of the BCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The BCAG FTIP Amendment No. 7 was requested by the California Department of Transportation (Caltrans) to program \$5,356,000 in STIP funds for Right of Way acquisition on the SR 149 Expressway Project and \$750,000 for the SR 70 Georgia Way/Pacific Heights Signalization Project, both in the 2004/05 FFY.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modification to the 2005-2007 Federal Statewide Transportation Improvement Program (FSTIP) for the BCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that BCAG's 2004 FTIP, through Amendment No. 7, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. §134, and 49 U.S.C. Chapter 53. This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.



We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter also constitutes approval and inclusion of the BCAG's FTIP Amendment No. 7 into California's 2004/05 – 2006/07 FSTIP.

If you have questions or need additional information concerning our approval for this BCAG FSTIP amendment, please contact Steven Luxenberg of the FHWA California Division office at (916) 498-5066, or by email at steve.luxenberg@fhwa.dot.gov.

Sincerely,

/s/ Mayela Sosa

For
Gene K. Fong
Division Administrator

cc: (e-mail)
Randy Steen, Caltrans
Ross A. Chittenden, Caltrans
Muhaned Aljabiry, Caltrans
Terry Abbott, Caltrans
Rachel Falsetti, Caltrans
Karina O'Connor, EPA
Toby Tiktinsky, EPA
Jon Clark, BCAG
Ivan Garcia, BCAG
Paul Page, FTA

cc: (other)
BCAG 2004 FTIP Binder

Sluxenberg/jf